



Business Advisory Council (BAC)
Summary Meeting Notes for April 19, 2017

Summary Notes

770 3rd Street, West Sacramento, CA

Members Present:

Association	Primary	Alternate
ACEC	Arvin Chaudhary	
AICC	Adam Holt	
AAAE	Eddy Lau	Ming-Chen Yu
AAa/e	Linden Nishinaga	
AGC		
CBCC	Aubry Stone	
CMAA		
COMTO		
DVBA	Laura Uden	Rebecca Whitcomb
GFACC	Debbie Hunsaker	
KMCA		
LBA		
LRRT	Paul Guerrero	
NAACP	Betty Williams	
NAMC		
NCA	Diana LaCome	
SFAACC		
SAME	Nathan Rockwood	
USPAACC	Prakash Daryani	
WCOE	Lee Cunningham	Ruth Bley
WTS		Shari Tavafrashti

Council Chair: Lisa Marie Alley (absent)

Absent Seat(s): John Cooper (AGC), Esther Shaw (CMAA), Dev Krishnan (COMTO), Marvin Dean (KMCA), Leonard Ortiz (LBA), Pete Varma (NAMC), Fred Jordan (SFAACC),

California High-Speed Rail Authority (Authority) Team Present: Alice Rodriguez –Small Business Advocate, Scott Jarvis – Chief Engineer, Ofelia Alcantara – Director of Engineering, Jose Camarena – Contract Compliance Administrator, Karen Massie – Information Officer, Alex McCracken – Small Business and Title VI Programs Manager, Meilani Sabadlab – Small Business Technical Associate, Kasaundra Duncan – Title VI Technical Associate

Guests: Madeline Silva Khan (PGE State Infrastructure Projects), Maurice Young (TPZP), Michelle Garcia (DFJV), Amanda Craft (CRB), Abigail Brown (CPM/CP 2-3), Victoria Kneer (AT&T), Geneva MeJunkin (AT&T), Adam Mohler (AT&T), Johnni Carter (BE Group)

I. Welcome and Introductions (Alice Rodriguez)

- Alice Rodriguez, Small Business Advocate called the meeting to order at 1:05 PM.
- Ms. Rodriguez welcomed everyone for attending and mentioned that Council Chair, Lisa Marie Alley, would not be able to attend the Full Council due to a meeting at the Governor's Office.
- Alice Introduced the Authority staff:
 - Scott Jarvis – Chief Engineer and
 - Ofelia Alcantara – Director of Engineering
- Ms. Rodriguez announced that Terry Marcellus, is currently involved with another WSP project and his BAC participation/attendance would vary depending on his travel schedule.
- The meeting continued with whole room introductions.

II. Approval of February 15, 2017 Business Advisory Council Meeting Minutes (Alice Rodriguez)

- Ms. Rodriguez asked if there were any questions or concerns regarding the February 15, 2017 meeting minutes.
- There were no questions or concerns.
- Member Stone motioned that the minutes from the February 15, 2017 Council Meeting be adopted.
- Member LaCome seconded the motion.
- The minutes were approved by majority vote.

III. High-Speed Rail Construction Update (Scott Jarvis)

- Chief Engineer, Scott Jarvis, provided a presentation which focused on the design and construction of the High-Speed Rail (HSR) in the Central Valley.
- Mr. Jarvis gave the Full Council a virtual tour (video) of several active construction sites currently underway by Construction Packages, 1, 2-3 and 4.
- To view Mr. Jarvis' presentation, you can visit http://hsr.ca.gov/Programs/Small_Business/business_advisory_council.html and the PowerPoint will be listed under the Business Advisory Council Meeting Agenda and Minutes.

BAC Members Questions and Concerns:

- Member Nishinaga questioned if there will be specifications for rolling stock, specifically concerns related to earthquakes. Mr. Jarvis informed the Council that the Authority has a Seismic Advisory Board and that the Authority recruits experts from around the world to help with this major development.
- Member Guerrero commented about the Design/Bid/Build of stations and noted that this would be an opportunity to bring in architect & engineering small businesses and enforce small business set-asides. Ms. Rodriguez responded that not only is it the Authority's responsibility to promote the small business program, but also the responsibility of the Council. She made a point to mention that BAC members should pass along gained information concerning any opportunities to their associations and/or constituents.
- Member Cunningham thanked Mr. Jarvis for his presentation and suggested that the Authority develop stronger messaging; there is a lack of surety on the HSR Program. She also wanted to

confirm that the HSR, rail cars would be built in the USA. Mr. Jarvis confirmed this is true.

- Member Nishinaga requested that the Construction PowerPoint be distributed to BAC Members. Ms. Rodriguez agreed to send the PowerPoint to all BAC members.

IV. PG&E Presentation (Madeline Silva Khan)

- Ms. Silva Khan introduced herself as PG&E's Program Manager for the High-Speed Rail Project and made a point to mention she is not a sourcing specialist.
- Ms. Silva Khan's talking points included the following:
 - Utility relocation is critical and safety is imperative. Ms. Khan explained during utility relocation, High-Speed Rail must use vendors approved by PGE.
 - All PGE vendors (suppliers included) require a safety certification. Passing grades are issued by INS World, an extension of PGE.
 - PGE prefers that potential vendors interested in becoming a listed PGE vendor have prior experience working with PGE and have familiarity with PGE's standards.
 - PGE has specific requirement criteria a vendor must meet before being added to PGE's "preferred vendor list." However, this list is not static and continues to grow.
 - Ms. Khan mentioned that PGE does not manage the RFP process and that it is the responsibility of the Prime contractor.

BAC Members Questions and Concerns:

- Jose Camarena, Authority Compliance Manager, made an effort to note that there is a common perception PGE is a closed club of particular contractors. However, based on Ms. Khan's presentation, this perception was dispelled.
- Member Cunningham asked, if Primes could only select from the PGE "preferred vendor list" and if Primes were still under the guidelines of High-Speed Rail to mandate the small business goal. Maurice Young, Small Business Officer for Construction Package 1 (TPZP), stated that PGE has several lists varying by category and each category has a limited number of firms to select from. Additionally, Mr. Camarena stated that utility relocation does not fall under the small business participation goal.
- Member Tavafrashti questioned why the work related to High-Speed Rail (third parties) does not fall under the small business participation goal and inquired how to collaborate with PGE to have a cohesive relationship. Mr. Jarvis, stated that the Authority is currently planning and coordinating with PGE, and other third parties, to discuss system work. Mr. Camarena mentioned that during the next phase of procurements, the Authority is working to improve and refine the Small and Disadvantaged Business Enterprise Program Plan to benefit the small business community further.
- Member Bley asked if subcontractors need to be approved. Ms. Khan confirmed subcontractors need to be approved.
- Member LaCome asked to review the PGE "preferred vendor list." Ms. Khan stated that the list is shared between PGE and the Primes; it is a contractual list and is not available for public view.
- Member Nishinaga questioned if the Authority could be pro-active and offer some sort of certification training to support small businesses with getting on the PGE preferred vendor list.
- Member Lau proposed the Authority to provide basic training on safety certification requirements of PGE and other utility entities. Member LaCome seconded the proposal, Member Whitcomb abstained and Members Cunningham and Holt opposed; all other BAC Membership supported the proposal. Ms. Rodriguez stated we would look into the proposal

V. Sacramento Small Business Certification Workshop (Betty Williams)

- Member Williams announced that the Authority, in partnership with the National Association for the Advancement of Colored People (NAACP) – Sacramento Branch, will be hosting a Small Business Certification workshop at no cost to small businesses.
- The event will take place on Tuesday, April 25, 2017 at the Center for Employment Training in South Sacramento.
- Flyers of the event were provided to all BAC Members in their BAC member packets.
- Ms. Williams requested and welcomed the participation of any interested BAC membership associations.

VI. Prior Meeting Requests (Alice Rodriguez)

- Several BAC requests were closed during the Full Council. The following requests and results of the Authority are as followed:
 - Requested to implement the small business goal on third party agreements.
 - As, CEO Morales mentioned during the February Full Council, mandating third parties to have a small business participation goal is out of the Authority's control. Many third party facility owners have union contracts. Coordination of the facility owner's union contract with the Authority's small business goals and community benefits agreement simply do not mesh. We cannot implement the small business goal on third party agreements, but will continue to actively work with PGE, AT&T and other third parties to assist small businesses in participating in such contracts.
 - Requested a PGE Presentation.
 - This request was fulfilled today, with the presence of Madeline Silva Khan.
 - Requested that the BAC name tents showcase the memberships association rather than the representatives' name.
 - New name tents reflecting this change were provided during this meeting.
 - Requested to have the CEO and/or Board Chair attend a minimum of one (1) Full Council meeting per year.
 - Moving forward, we agree to have the CEO and/or the Board Chair attend a minimum of one (1) Full Council meeting per year as their schedules permit.
 - Requested directional signage to be placed throughout the DGS building to guide BAC participants to appropriate Committee Meeting Rooms and the Full Council.
 - We asked DGS and they will not allow additional signage to be displayed. Moving forward, we will include all meeting logistics in the distribution email containing the meeting agenda, prior meeting draft minutes and draft request tracker prior to the scheduled Full Council.
 - Requested all closeout documentation submitted to the Federal Railroad Administration regarding the 2011 Title VI Complaint.
 - All closeout documents were included in the BAC member packets. The documents included a memorandum addressing the completion of required actions of the USDOT complaint; supporting documentation for completion of the USDOT complaint and the actual closeout letter from the FRA.
 - Requested to have Ofelia Alcantara, Director of Engineering, attend the Professional Service's Committee Meeting and Full Council.
 - Effective April 19, Ms. Alcantara will attend all future Professional Service Committee

Meetings and Full Council.

- Requested reporting metrics on Jacobs, specifically how much has currently been expended.
 - The Compliance Team produced these metrics and the information was included in the BAC member packets.
- Requested to be added as a standing agenda item at future Board of Director Meetings.
 - Moving forward, the Authority agreed to offer five (5) minutes of presentation time during the annual Small Business Program Update. The BAC can vote to have one (1) individual represent the Council as a whole, or vote to select one (1) member from each committee to provide commentary.
- Requested teleconference capabilities during Committee Meetings.
 - Effective June 21, 2017 the Authority will offer tele-conference lines for the Committee Meetings only.
 - As currently stated in the existing BAC operating guidelines (Chapter IV, section E), *“Telephonic meeting participation is not permissible to be counted towards Council meeting attendance (updated per motion passed at the BAC Meeting on October 18, 2012).”*
- Requested the unbundling of large contracts.
 - As stated by CEO Morales during our last meeting in February, the Authority will unbundle contracts whenever possible and will continue to review any available opportunities that will assist the small business community on a case-by-case basis.
- Requested that the BAC Membership be granted with travel reimbursement.
 - The Authority met with CFO Russell Fong, CEO Jeff Morales and Board Chair Dan Richard. Collectively they have identified funds that can be used for BAC travel reimbursement beginning FY 2017-18.
 - In order to make travel reimbursement possible, also beginning in FY 2017-18, the Authority will transition to a quarterly meetings schedule per the BAC operating guidelines.
 - The BAC Travel Reimbursement Policy will follow the State’s standard practices and only pay for the primary member or the alternate member in the event the primary cannot attend the Committee or Full Council Meeting.
 - Additional information related to the BAC Travel Reimbursement Policy will be discussed during the June meeting in preparation for FY 2017-18.

VII. Committee Meeting Updates

- **Professional Services Committee (Committee Vice-Chair, Linden Nishinaga)**
 - The Professional Services Committee discussed the following topics during the Full Council:
 - Requested that prompt payment notifications be posted to the Authority website.
 - Requested that Chief Auditor, Paula Rivera, present at a future Full Council to address overhead rates.
 - Requested the Authority implement the 30/10/3 split between professional services and construction.
 - Acknowledged that Member Uden will represent the Professional Service Committee in working with the Authority to develop and draft new BAC processes to improve function and operations between the BAC and the Authority.
 - Discussed the philosophy and concepts inherent in the 2012 Small Business Program signed by Governor Brown – requirements for small business support services from both Authority and Prime contractors.

- Requested to have BAC Business Cards for BAC Memberships.

Construction Committee (Committee Chair, Dianna LaCome):

- Ms. LaCome shared key points of the Construction Committee Meeting discussion:
 - The Committee is considering removing voting rights for any Construction Committee Member who misses 2 or more consecutive meetings. With Committee tele-conference lines being offered in June, the Construction Committee hopes this will help with establishing a meeting quorum.
 - Requested the Authority to provide a list of businesses/agencies that provide training, specific to small business. This list should include all logistical information (date, time and location).
 - Requested that all Design-Build contracts standardize their training for small businesses.

VIII. Upcoming Meeting Dates

- The next meeting is scheduled for Wednesday, June 21, 2017 from 1:00 PM – 3:00 PM in West Sacramento; Committee Meetings will be held from 10:00 AM -12:00 PM.

IX. Member and Public Comment and Adjournment

- Michelle Garcia, Small Business Officer for Dragados Flatiron (DFJV), mentioned the transition from John James to her, effective March 2017. Moving forward, Ms. Garcia is DFJV's Small Business Officer.
- Ms. Rodriguez reminded the Council that that Authority is missing several reaffirmation letters from associations. 2017 reaffirmation letters need to be submitted immediately. Any questions concerning reaffirmation letters should be discussed with Meilani Sabadlab.
- Member Hunsaker motioned to adjourn the meeting; Member Williams seconded.
- The meeting was adjourned by Alice Rodriguez at 3: 08 PM.